



SB

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 7485 of 2006

Petitioner

Bhadal Singh Rathia, Son of Shri Ujyar Singh Rathia, aged about 42 years, Sarpanch, resident of Village Kaya, Tahasil Gharghoda, District – Raigarh (C.G.)

Versus

Respondents

1. State of Chhattisgarh, through Secretary, Panchayat and Development Department, Government of C.G. D. K. S. Bhawan, Raipur (C.G.).
2. Collector, Raigarh, District – Raigarh (C.G.)
3. Sub Divisional Officer (Specify Officer) Gharghoda, District Raipur (C.G.)
4. Chief Executive Officer, Janpad Panchayat Gharghoda, District Raigarh (C.G.).
5. Darshan Singh Rathia, Up-Sarpanch, Son of Chaitan Rathia, aged about 35 years, resident of Village Kaya, Tahasil – Gharghoda, District – Raigarh (C.G.)

WRIT PETITION UNDER ARTICLES 226 OF THE
CONSTITUTION OF INDIA

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Shri M. K. Sinha, Advocate for the petitioner.

Shri Utkarsh Verma, Deputy Govt. Advocate for the respondents No. 1

to 3.

Shri Sunil Sahu, Advocate for the respondent No.5.

ORDER

(Passed on this 18th day of April, 2007)

1. In this petition, the petitioner has impugned the order dated 11.9.2006 (Annexure P/11) passed by the Sub Divisional Officer – Specified Officer, Gharghoda, District – Raigarh and the order dated 15.12.2006 (Annexure P/13) passed by the Additional Collector, Raigarh, confirming the order passed by the Specified Officer, without taking recourse to the alternative remedy available to him.

2. There are no exceptional circumstances, so as to call for the indulgence of this Court in its extra ordinary jurisdiction under Article 226 of the Constitution of India. Under the provisions of Rule 3 of the Madhya Pradesh Panchayats (Appeal and Revision) Rules, 1995, an order passed by the Collector is appealable to the Director Panchayat.
3. In view of the above, this petition is dismissed, as not maintainable, in view of the statutory remedy available to the petitioner. However, the liberty is reserved to the petitioner to take recourse to the alternative remedy that may be available to him.

Thakur

Sd/-
Satish K. Agnihotri
Judge



मामला क्रमांक W.P.(Cr.) 7325 सन 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
<u>HIGH COURT OF CHHATTISGARH AT BILASPUR</u>		
<u>WRIT PETITION (CR.) NO.7325 OF 2006</u>		
<u>DIVISION BENCH:</u>		
HON. SHRI L.C. BHADOO, & HON. SHRI DHIRENDRA MISHRA, JJ		
PETITIONER	Purushottam Jaiswal aged about 45 years, S/o Radhe Shyam Jaiswal, R/o Village Amleedih, Thana Pithora, Distt. Mahasamund.	
	Versus	
RESPONDENTS	1. The State of Chhattisgarh, through Secretary, Ministry of Home Department, Raipur (C.G.) 2. Senior Superintendent of Police, Mahasamund (C.G.) 3. Officer In charge, Police Station Pithora, Distt. Mahasamund. 4. The Collector, Mahasamund. 5. The Secretary, Ministry of Labour, D.K.S. Bhawan, Raipur. 6. Union of India, Ministry of Home, New Delhi. 7. State of Jammu and Kashmir, through Secretary, Ministry of Home, Distt. Jammu (J and K)	